

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

Case Management C/A No. 1:06-MN-6000

IN RE: Graniteville Cases)	C.A. No. 1:06-CV-01736
)	C.A. No. 1:06-CV-01738
)	C.A. No. 1:06-CV-01739
_____)	C.A. No. 1:06-CV-01740

NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT

TO: COUNSEL OF RECORD

PLEASE TAKE NOTICE that the Defendant Olin Corporation, by and through its undersigned attorneys, hereby moves, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for an Order of Summary Judgment in this matter.

The grounds for this Motion are that the none of the Plaintiffs' liability experts have expressed any opinion and the Plaintiffs have produced no evidence that the rail car in questions was defective in any respect or that Olin was at fault in its operation or maintenance. and that South Carolina recognizes no cause of action for strict or absolute activity arising from the transportation of "ultrahazardous substances." Moreover, to the extent that Plaintiffs' claims are based on any alleged defect in the design, manufacture operation, maintenance or inspection of the subject car, the claims are preempted and barred by governing Federal law. The matter is ripe for summary adjudication pursuant to Rule 56 (c), because there is no genuine issue as to any material fact, and Olin is entitled to judgment as a matter of law.

This motion is supported by the accompanying Memorandum of Law and attached exhibits which are incorporated herein by reference.

March 6, 2007

Respectfully Submitted,

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s/David S. Yandle

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CERTIFICATE OF SERVICE

This will certify that on the 6 day of March, 2007, the foregoing document was served via electronic service on counsel of record to those attorneys who are currently registered through the Federal Court's Electronic Case Filing System, and via first-class, U.S. mail on the following who are not registered users:

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